



Rec'd PCT/P 16 DEC 2005

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IN THE UNITED STATES PATENT & TRADEMARK OFFICE

Re: Application of: Michael TOBYN, et al.

Serial No.: 10/531,073

Filed: April 11, 2005 as national phase of International Patent
Application Serial No. PCT/GB03/004463, filed October 10, 2003

For: PHARMACEUTICAL EXCIPIENTS COMPRISING
INGORGANIC PARTICLES IN ASSOCIATION WITH AN
ORGANIC POLYMERIC MATERIAL AND FORMING A
SOLID RETICULATED MATRIX, COMPOSITIONS,
MANUFACTURING AND USE THEREOF.

Mail Stop: Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

December 14, 2005

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS

Sir:

In response to the Notification of Missing Requirements, dated September 14, 2005, a copy of which is enclosed, please find a copy of an executed Declaration/Power of Attorney form signed by the inventors, and a check in the amount of \$130.00 covering the filing surcharge.

If any additional fees are deemed to be due at this time, the Commissioner is authorized to charge said payment to Deposit Account No. 50-0552.

12/22/2005 MKAYPAGH 00000117 10531073

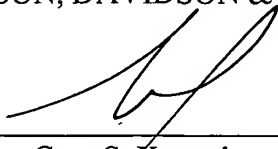
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Respectfully submitted,

DAVIDSON, DAVIDSON & KAPPEL, LLC

By


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Registration No. 36,561

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COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, VA 22313-1450

In re application of: Michael TOBYN, et al.

Serial No.: 10/531,073

Filed: April 11, 2005

International

Application No.:

For: PCT/GB2003/004463
**PHARMACEUTICAL EXCIPIENTS COMPRISING INORGANIC PARTICLES IN
ASSOCIATION WITH AN ORGANIC POLYMERIC MATERIAL AND FORMING A SOLID
RETICULATED MATRIX, COMPOSITIONS, MANUFACTURING AND USE THEREOF**

S i r:

Transmitted herewith is a **A Response to Notification of Missing Requirements** (1 page) in the above-identified application.

☐ Small entity status of this application under 37 C.F.R. 1.9 and 1.27 has been established by a verified statement previously submitted.

☐ A verified statement to establish small entity status under 37 C.F.R. 1.9 and 1.27 is enclosed.

☒ No fee for additional claims is required.

☐ A filing fee for additional claims calculated as shown below, is required:

☒ Also transmitted herewith are:

☒ Petition for extension under 37 C.F.R. 1.136

☒ Other: **Executed Declaration/Power of Attorney Form (2 pages); Copy of the Notification of Missing Requirements (2 pages); Submission of Supplemental Application Data Sheet (1 page); Supplemental Application Data Sheet (3 pages); and Copy of Form PCT/IB/306 - Notification of the Recording of a Change (1 page); return postcard.**

☒ Check(s) in the amounts of **\$250.00** is attached to cover:

☐ Filing fee for additional claims under 37 C.F.R. 1.16

☒ Petition fee for extension under 37 C.F.R. 1.136 (**\$ 120.00**)

☒ Other: **\$ 130.00 to cover surcharge**

☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-0552.

☒ Any filing fee under 37 C.F.R. 1.16 for the presentation of additional claims which are not paid by check submitted herewith.

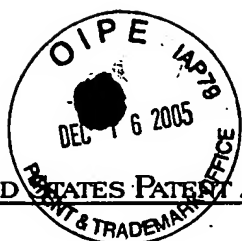
☒ Any patent application processing fees under 37 C.F.R. 1.17.

☒ Any petition fees for extension under 37 C.F.R. 1.136 which are not paid by check submitted herewith, and it is hereby requested that this be a petition for an automatic extension of time under 37 CFR 1.136.

Cary S. Kappel, Esq., Reg. No. 36,561
DAVIDSON, DAVIDSON & KAPPEL, LLC
485 Seventh Avenue, 14th Floor
New York, New York 10018
(212) 736-1940

I hereby certify that this correspondence and/or documents referred to as attached therein and/or fee are being deposited with sufficient postage to the United States Postal Service with sufficient postage as "first class mail" in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" on December 14, 2005.
DAVIDSON, DAVIDSON & KAPPEL, LLC

BY: 
Oleg Ioselevich



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/531,073	Michael Tobyn	478.1070

23280

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DAVIDSON, DAVIDSON & KAPPEL

INTERNATIONAL APPLICATION NO.

PCT/GB03/04463

IA. FILING DATE

10/10/2003

PRIORITY DATE

10/11/2002

CONFIRMATION NO. 2389

371 FORMALITIES LETTER



OC000000017006277

Date Mailed: 09/14/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 04/11/2005
- English Translation of the IA filed on 04/11/2005
- Copy of the International Search Report filed on 04/11/2005
- Preliminary Amendments filed on 04/11/2005
- Information Disclosure Statements filed on 04/11/2005
- U.S. Basic National Fees filed on 04/11/2005
- Priority Documents filed on 04/11/2005
- Power of Attorney filed on 04/11/2005

IPM 9/21/05
11/14/05 Missing Parts (Deadline)
11/14/05 Missing Parts Due Date
10/14/05 Reminder
CMO/CSK/MIB

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- \$130 Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

SHELBY J VIGIL

Telephone: (703) 308-9140 EXT 224

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/531,073	PCT/GB03/04463	478.1070

FORM PCT/DO/EO/905 (371 Formalities Notice)